

CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date: 7-17-72, by Pltff.
10-16-72 by def.

D. C. Form No. 106A Rev.

TITLE OF CASE

ATTORNEYS

WILKERSON SHOE COMPANY,
a corporation

VS

UNDERWRITERS INSURANCE COMPANY,
a corporation

For plaintiff:

Kenney, Leritz and Reinert
843 Boatmen's Bank Building
314 North Broadway
St. Louis, Missouri 63102
(314) 621-5743

Thomas R. Brett
Fourth Natl. Bldg.
Tulsa 74119

For defendant:

Ralph C. Kleinschmidt
Evans and Dixon
506 Olive Street
St. Louis, Missouri 63101
(314) 621-7755

Alfred B. Knight
~~212-216~~ Beacon Bldg.
Tulsa, Okla. 74103

STATISTICAL RECORD

COSTS

DATE

NAME OR
RECEIPT NO.

REC.

DISB.

J.S. 5 mailed 7-1-72

Clerk

J.S. 6 mailed 8-1-75

Marshal

Basis of Action: Judgment on
ins. policy for wind-
storm damages; tsferred
from East Dist. of Mo.
Action arose at:

Docket fee

Witness fees

Depositions

DATE	PROCEEDINGS	Date Order or Judgment Noted
6-26-72	Transcript of proceedings transferred from the USDC, East. Dist. of Missouri, Eastern Division, filed. (Includes Petition for removal, bond, proof of filing, notice, motion of deft. to transfer to No. Dist. of Okla., with brief, and c/c of order transferring case to USDC, No. Dist of Okla.)hm	
7-17-72	REQUEST FOR JURY TRIAL, filed by the Plaintiffs. v	
7-20-72	Motion of the Plaintiff for New Trial and Reconsideration of Order as to Transwestern Pipeline, filed. v	
7-20-72	Memorandum in support of plaintiff's motion, filed. v	
7-20-72	Ordered by the Court that the Deft. is granted 10 days to respond to Pltf.'s Motion for new trial and reconsideration of order as to Transwestern Pipeline. (AEB-J)v -letter mailed.	
8-7-72	Order, filed, granting deft. permission to file answer out of time. (LB-J)hm	
8-7-72	<u>Answer</u> , filed. hm	
8-8-72	Case set for Pre-Trials on Thurs. 8-31-72 @9:30 A.M. (LB-J)r	
8-17-72	Interrogatories by def. to pltf., filed. rm	
8-31-72	Case passed from pre-trial setting of this date, to be reset on next docket. (LB-J)hm	
9-22-72	Application of pltf. for additional time to answer interrogatories, with order granting extension to 10-16-72 to file ans. to interrog., filed. (LB-J)hm (copies mailed)	
10-4-72	Case set for pre-trial 10-16-72 at 9:30 a.m. (LB-J)hm	
10-16-72	Motion of Pltf. to Join Additional Party Deft.s and Permit filing of Amended Petition against additional party deft.s and brief in support thereof, filed. v	
10-16-72	Brief in support of pltf.'s motion to join additional parties deft., filed. v	
10-16-72	Pltf.'s Answers to interrogatories submitted by deft., filed. v	
10-16-72	Request for jury trial by def., filed. rm	
10-16-72	Case called for pre-trial hearing. Statements made. PT stricken and deft. given 10 days to file answer brief to pltf's motion to join additional party defts, etc. Court will then enter an order on motion. (LB-J)hm	
10-26-72	Response to motion of pltf. to join additional party defendants, filed. hm	
11-2-72	Order, filed, that pltf's motion to join additional parties defendants and permit filing of amended petition against additional party defts. is denied. (LB-J)hm (copies mailed)	
11-3-72	Interrogatories to Underwriters Insurance Co., filed. v	
11-13-72	Case set for pre-trial 12-14-72 at 9:30 a.m. (LB-J)hm	
11-20-72	Motion to compel answers to interrogatories, Dismiss the Cause, or Impose Sanctions, filed. v	

D. C. 110A Rev. Civil Docket Continuation

DATE	PROCEEDINGS	Date Order or Judgment Noted
11-22-72	App. of def. to withdraw motion to compel answers to interrogatories, dismiss cause or impose sanctions, filed. rm (order as part of appl. to J.)	
11-27-72	Application for time to answer interrogatories, filed. hm <i>to go</i>	
11-29-72	Order, filed, that deft. is granted leave to withdraw its motion to compel answer to interrogatories, dismiss the cause or impose sanctions. (LB-J)hm (copies mailed)	
12-1-72	Order, filed, that deft. have 30 days to answer interrogatories, filed. (LB-J)hm (copies mailed)	
12-4-72	Motion for Order Compelling Discovery, filed by Deft. v	
12-4-72	Brief in support of Deft.'s Motion for order compelling Discovery, filed.v	
12-7-72	Answers to interrogatories, filed. hm	
12-14-72	Pre-trial hearing held. Deft's motion for order compelling discovery agreed to by parties. Pre-trial order to be filed within 15 days and case to be tried to a jury. (EST: 1 to 2 days) Parties to file trial briefs. (LB-J)hm	
1-19-73	Parties directed to file trial briefs within 15 days. (LB-J)hm	
1-22-73	Pre-trial order, filed. (LB-J)hm <i>copies mailed local counsel</i>	
1-23-73	Second Motion for Order Compelling Discovery, filed by the Deft. v	
1-23-73	Brief in Support, filed. v	
1-26-73	Plaintiff's Trial Brief, filed. jj	
2-5-73	Trial Brief of Deft., Underwriters Insurance Co., filed. v	
2-9-73	Amended pre-trial order, filed. (LB-J)hm	
2-14-73	Case called for hearing on deft's second motion for order compelling discovery. Motion is moot, parties having agreed to it. Case to be set on next jury docket. (LB-J)hm	
3-8-73	Case set for jury trial Monday 4-23-73 at 9:30 a.m. (LB-J)hm	
4-20-73	Subpoenae, ret. & filed: served I. A. Jacobsen, Lurene Miller, L. R. Carter, J. McMichael, Jr., Joseph E. Maxwell, B. A. Page, Leman H. Wilson, Marvin E. Lutz & Lester Williams, 4-18-73; served Darrell Harding and Jim Stovall, 4-19-73. (USM \$36.04)g	
4-23-73	Deposition of James M. Stovall and Lawrence Richard Carter; taken on 2-27-73, by Loyd J. Christesson, with fees of \$73.00. v	
4-23-73	Depo. of Alvie Williams, filed. v	
4-23-73	Depo. of E. E. Taylor, filed with Depo. of Rolla King. v	
4-23-73	Civil Subpoenae, ret. & filed: served Alvie Williams, and James Dobson, 4-18-73 at Tulsa, Okla.; served E. E. Taylor, 4-18-73 at Dallas, Tex.; served J. S. Rogers, 4-18-73 at Kansas City, Mo.; and served Harry M. House, 4-19-73 at Okla. City, Okla. (USM \$20.27)jj	

DATE	PROCEEDINGS	Date Order or Judgment Noted
4-23-73	Depo. of Jack W. McMichael, Jr.; B.A. Page; Joseph Edwin Maxwell; Marvin Lutz; Leman H. Wilson; and I.A. Jacobson, filed. v	
4-24-73	Jury trial held. Pltf Rep by Deryl Gotcher, Tom Brett, Bill Grimm & Joe Laritz; Deft rep by Alfred Knight. Trial began on 4-23 @9:30 A.M. and ended at 11:40 A.M. on 4-24. Jury retires to deliberate @9:55 A.M. on 4-24-73 and returns w/verdict at 11:35 A.M. 4-24-73. Verdict received, read and filed in Open Court, finding in favor of Deft and against the Pltf. Court grants request of both Pltf & Deft to withdraw all the exhibits. (LB-J)r	
5-4-73	Motion of Pltf. for New Trial, filed. v <i>mailed 5-31</i>	
5-4-73	Brief in support, filed. v -labeled Prop. I, etc. <i>mailed 5-31</i>	
5-24-73	Hearing held on pltf's Motion for New Trial. Deft directed deft to file brief within 10 days. Court will then take matter under consideration. (LB-J)r	
5-30-73	Deft.'s Responsive Brief to Motion for New Trial, filed. jj <i>mailed 5-31</i>	
6-5-73	Order filed, granting Motion of Pltf. for New Trial, filed. (LB-J)r (Copies mailed)	
6-5-73	Pltf.'s Reply Brief, filed. v	
7-12-73	Application to reconsider Plaintiff's Motion to Join additional parties defendant and to permit filing of amended petition against additional parties defendant and brief in support thereof filed.h	
7-24-73	Order, filed, denying pltf's application to join additional parties and to amend its complaint. (LB-J)hm (copies mailed)	
7-24-73	Motion of the Pltf. to Consolidate this case with 73-C-206, filed with Brief in support attached. v	
8-27-73	Hearing held on pltf's motion to consolidate (with 73-C-206) and Court takes ruling under advisement; parties to be notified. (LB-J)hm	
8-31-73	Joint motion of parties to consolidate, filed. rm <i>Order as per 73-C-206</i>	
9-6-73	Case transferred to Judge Fred Daugherty for all purposes. (LB-J)hm	
9-6-73	Order, filed, that Case No. 72-C-226 be merged and consolidated with Case No. 72-C-206. (LB-J)jj copies mailed	
7-30-75	<i>No more entries</i>	
7-30-75	Memorandum opinion, filed and entered. (FD-J)rm - copies mailed Judgment, filed and entered, that action in pltf. complaint is dismissed and action contained in 3rd party compltf. is dismissed. (FD-J)rm - copies mailed	